



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY OF PAPERS  
ORIGINALLY FILED

Applicant(s):	Turner et al.	
Application No.:	09/870,113	
Filed:	May 30, 2001	Group Art Unit: 1633
Title: Novel Human Mitochondrial Proteins and Polynucleotides Encoding the Same		Attorney Docket No.: LEX-0182-USA

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF APPLICATION - FILING DATE GRANTED**

Assistant Commissioner for Patents  
Washington, D.C. 20231  
**Attention: Box Missing Parts**

Sir:

In response to the "Notice to File Missing Parts of Application - Filing Date Granted" mailed by the U.S. Patent and Trademark Office on July 24, 2001, Applicants submit the following documents to complete the filing requirements of the above-identified application:

1. Executed Declaration and Power of Attorney; and
2. Return copy of Notice to File Missing Parts of Application - Filing Date Granted.

Applicants also submit herewith the following document for the above-identified application:

3. Petition for Extension of Time of 1 month.

The U.S. Patent and Trademark Office is hereby authorized to charge the following fees to Lexicon Genetics Incorporated Deposit Account No. 50-0892:

- |                                                                                                                     |          |
|---------------------------------------------------------------------------------------------------------------------|----------|
| 1. Statutory basic filing fee                                                                                       | \$370.00 |
| 2. Surcharge Fee for filing declaration on a date later than the filing date of the application per 37 CFR 1.492(e) | \$65.00  |

**TOTAL \$435.00**

3. The Commissioner is hereby authorized to charge any additional fees associated with this paper communication or credit any overpayment to Deposit Account No. 50-0892.

The documents submitted herewith complete the filing of the above patent application. This form is being submitted in duplicate.

Respectfully submitted,

10/24/01  
Date

REG. NO. 44,071  
DAVID W. HUBLEY  
Lance K. Ishimoto by David W. Hubley  
Lance K. Ishimoto Reg. No. 41,866

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4000 Research Forest Drive  
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Enclosures

#4



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/870,113	05/30/2001	C. Alexander Turner JR.	LEX-0182-USA

24231  
LEXICON GENETICS INCORPORATED  
4000 RESEARCH FOREST DRIVE  
THE WOODLANDS, TX 77381

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CONFIRMATION NO. 6538

FORMALITIES LETTER



\*OC000000006336763\*

Date Mailed: 07/24/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION


FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 420.

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

COPY OF PAPERS  
ORIGINALLY FILED

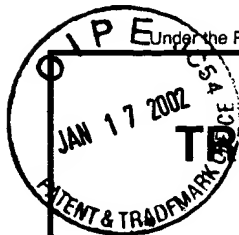
Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approval for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>Application Number</b>	09/870,113		
	<b>Filing Date</b>	May 30, 2001	
	<b>First Named Inventor</b>	Turner	
	<b>Group Art Unit</b>	1633	
	<b>Examiner Name</b>	To Be Assigned	
<b>Total Number of Pages in This Submission</b>	10	<b>Attorney Docket Number</b>	LEX-0182-USA

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	return postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Executed Declaration & POA
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	Part 2 of Notice to File Missing Parts
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<b>Remarks</b>	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

<b>Firm or Individual name</b>	Lance K. Ishimoto Reg. No. 41,866 Lexicon Genetics Incorporated
<b>Signature</b>	<i>Lance K. Ishimoto by David W. Higler</i> DAVID W HIGLER REG. NO. 41,071
<b>Date</b>	October 24, 2001

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date:			
October 24, 2001			
<b>Typed or printed name</b>	Michelle Klein		
<b>Signature</b>	<i>Michelle Klein</i>	<b>Date</b>	October 24, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.